

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*<sup>2</sup>

Debtors.

Case No. 23-10253 (KBO)

Chapter 7  
(Jointly Administered)

**Related Doc. No. [1002](#)**

**MOTION TO LIMIT SERVICE OF NOTICE REGARDING APPLICATION OF COZEN O'CONNOR AS COUNSEL TO THE TRUSTEE FOR ALLOWANCE OF SECOND INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD AUGUST 1, 2023 THROUGH NOVEMBER 22, 2024**

George L. Miller, in his capacity as the chapter 7 trustee (the “Trustee”) of the estates of the above-captioned debtors (the “Debtors” or the “Estates”), hereby moves this Court (the “Motion”) for an order under Rule 2002(a)(6) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), providing that service with respect to the *Application of Cozen O'Connor as Counsel to the Trustee for Allowance of Second Interim Compensation and Reimbursement of Expenses for the Period August 1, 2023 through November 22, 2024* [Doc. No. 1002] (the “Cozen Second Interim Fee Application”) be limited to the Service Parties (as defined below).

In support of this Motion, the Trustee respectfully represents as follows:

1. Bankruptcy Rule 2002(a)(6) provides that at least twenty one (21) days-notice of a hearing on a request for compensation for reimbursement of expenses totaling in excess of \$1,000 shall be given to all creditors. Fed. R. Bankr. P. 2002(a)(6) (emphasis added). The Trustee submits that there is sufficient cause to justify limiting the service of the Cozen Second Interim Fee Application to the Service Parties designated below.

<sup>2</sup> The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23- 10255. The Debtors' headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

2. The Cozen Second Interim Fee Application is 984 pages and the Trustee represents that to serve a copy of the Cozen Second Interim Fee Application to each and every creditor of the Debtors would be at a significant expense to the Estates.

3. The Trustee requests that a copy of the Notice of the Cozen Second Interim Fee Application (the “Notice”) be served via U.S. First Class Mail and be limited to: (a) the Office of the United States Trustee; (b) counsel to the Debtors; (c) the Debtors’ pre-petition secured lenders with names and addresses appearing in Schedule D of the Schedules of Assets and Liabilities prepared by the Debtors; (d) known counsel to any other Lenders; (e) the largest thirty (30) unsecured creditors with names and addresses appearing in Schedule F of the Schedules of Assets and Liabilities prepared by the Debtors; and (h) all parties who have requested notice pursuant to Federal Rule of Bankruptcy Procedure 2002<sup>3</sup> (the “Notice Service Parties”).<sup>4</sup>

4. Additionally, the Trustee requests that a complete copy of the Cozen Second Interim Fee Application be served via electronic mail and be limited to (i) the Trustee, and (ii) the Office of the United States Trustee for the District of Delaware (the “Application Service Parties”). The Notice Service Parties and the Application Service Parties are collectively referred to herein as (the “Service Parties”).

5. The Trustee believes service of the Notice of the Cozen Second Interim Fee Application and service of the Cozen Second Interim Fee Application as described above on the Service Parties is sufficient to ensure that all parties reasonably interested in the outcome of the

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<sup>3</sup> Notification of filing the Cozen Second Interim Fee Application was provided by way of electronic service via a Notice of Electronic Filing (NEF) through the Court’s CM/ECF system to all parties receiving notifications through CM/ECF in the above-captioned Estates and a complete copy of the Cozen Second Interim Fee Application can be accessed via CM/ECF.

<sup>4</sup> A complete copy of the Cozen Second Interim Fee Application may be obtained by contacting Trustee’s counsel if not attached to the Notice.

Cozen Second Interim Fee Application will have notice thereof and an opportunity to respond thereto.

WHEREFORE, the Trustee respectfully requests that the Court enter an order, in the form attached hereto as Exhibit "A", providing that service of the Notice of the Cozen Second Interim Fee Application and service of the Cozen Second Interim Fee Application be limited to the Service Parties as described above.

Dated: December 4, 2024

COZEN O'CONNOR

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